

Service Date: May 11, 1992

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

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IN THE MATTER Of The Application)
Of U S WEST COMMUNICATIONS for)UTILITY DIVISION
Forbearance of Rate Regulation)DOCKET NO. 91.9.36
RE: Montana Health Network, Inc.)ORDER NO. 5573b
_____)

FINDINGS OF FACT

1. On September 18, 1991, US West Communications (USWC) filed an application with the Montana Public Service Commission (Commission or PSC) requesting forbearance of rate regulation for intraLATA long distance service (Message Toll Service - MTS, including Dial Station-to-Station, Customer Dialed Calling Card Station-to-Station, Operator Handled Station-to-Station, Operator Handled Person-to-Person and received calls on a collect basis) for Montana Health Network, Inc., 2101 Clark Street, Miles City, Montana 59301-2796. USWC made its application pursuant to Section 69-3-808, MCA.

2. On September 25, 1991, at a duly noticed worksession, the Commission GRANTED USWC's forbearance application based solely on the contents of USWC's application. Final Order No. 5573 was served on October 21, 1991 in this matter.

3. On December 23, 1991, USWC requested the Commission amend Order No. 5573 to extend forbearance for the services listed in Finding No. 1 to an additional 32 telephone numbers associated with health care facilities and physicians which are members of Montana Health Network, Inc.

4. The Commission found USWC's request reasonable and on January 6, 1992 GRANTED USWC's request. Order 5573a was served on January 27, 1992.

5. On April 22, 1992, USWC requested the Commission amend Order No. 5573a to extend forbearance for the services listed in Finding No. 1 to an additional 3 telephone numbers associated

with health care facilities and physicians which USWC maintains are members of Montana Health Network, Inc. The telephone numbers are:

Custer County 323-1035

Stillwater Community 322-5316

PC Family Health 654-1800

6. Montana Health Network, Inc. provided USWC the above listed telephone numbers in a letter regarding amendments to USWC's proposal for service. USWC states that other telecommunications service providers including AMERICAN SHARECOM, AT&T and Progressive Communications, Inc. have submitted amended bids. Thus the Commission finds it reasonable to amend Final Order 5573a in Docket No. 91.9.36 as requested by USWC. This action was taken at the Commission's regularly scheduled agenda meeting held May 11, 1992.

7. In past forbearance applications USWC has generally identified its customers by their locations. In this filing, however, USWC has requested that certain telephone numbers be added to the list of patrons for whom forbearance would be applicable. The Administrative Rules of Montana state that the name and address of the customer to be served be included in a forbearance application (Section 38.5.2715 (c), ARM). Although the Commission has approved USWC's proposed amendment in this instance, USWC must adhere to the rules regarding forbearance in future filings and provide both the name(s) and address(es) of the customers for whom the service is intended.

CONCLUSIONS OF LAW

1. USWC provides regulated telecommunications service within the state of Montana and is a public utility under the regulatory jurisdiction of the Montana Public Service Commission, Sections 69-3-101 and 69-3-803(3), MCA.

2. The Commission has authority to supervise, regulate and control public utilities. Section 69-3-102, MCA.

3. USWC's application contained the information required by Section 69-3-808, MCA and ARM 38.5.2715.

ORDER

1. Order No. 5573a is hereby amended to include the 3 telephone numbers listed in Finding of Fact No. 5.

DONE AND DATED at Helena, Montana this 11th day of May, 1992 by a 5 - 0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

DANNY OBERG, Chairman

WALLY W. "WALLY" MERCER, Vice Chairman

BOB ANDERSON, Commissioner

JOHN B. DRISCOLL, Commissioner

TED C. MACY, Commissioner